



04 CV 12264 PBS

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

SEP 24 2004

FILED
CLERK'S OFFICE 3

DOCKET NO. 1456

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

**IN RE PHARMACEUTICAL INDUSTRY AVERAGE WHOLESALE PRICE
LITIGATION**

City of New York v. Abbott Laboratories, Inc., et al., S.D. New York, C.A. No. 1:04-6054

CONDITIONAL TRANSFER ORDER (CTO-18)

On April 30, 2002, the Panel transferred 16 civil actions to the United States District Court for the District of Massachusetts for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. Since that time, 32 additional actions have been transferred to the District of Massachusetts. With the consent of that court, all such actions have been assigned to the Honorable Patti B. Saris.

It appears that the action on this conditional transfer order involves questions of fact which are common to the actions previously transferred to the District of Massachusetts and assigned to Judge Saris.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), this action is transferred under 28 U.S.C. § 1407 to the District of Massachusetts for the reasons stated in the order of April 30, 2002, 201 F.Supp.2d 1378 (J.P.M.L. 2002), and, with the consent of that court, assigned to the Honorable Patti B. Saris.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the District of Massachusetts. The transmittal of this order to said Clerk shall be stayed fifteen (15) days from the entry thereof and if any party files a notice of opposition with the Clerk of the Panel within this fifteen (15) day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

Michael J. Beck
Clerk of the Panel

Inasmuch as no objection is
pending at this time, the
stay is lifted.



CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

INVOLVED COUNSEL LIST (CTO-18)
DOCKET NO. 1456
IN RE PHARMACEUTICAL INDUSTRY AVERAGE WHOLESALE PRICE
LITIGATION

Aaron Hovan
Kirby, McInerney & Squire, L.L.P.
830 Third Avenue
10th Floor
New York, NY 10022

John Rudolf Low-Beer
New York City Law Department
100 Church Street
New York, NY 10007